

**BAPP BOARD OF DIRECTORS MEETING MINUTES  
SEPTEMBER 1, 2016 – 10:30 A.M. (C.S.T.)  
PARK PLACE CENTER, SIOUX FALLS, SD**

Sevening called the meeting to order at 10:30 a.m.

In Attendance: Mark Bontreger, Nicole Bowen, Terry Brown, Amy Hartman, Barb Ohme, Linda Peitz, Diane Sevening, and Jill Viedt.

Staff in attendance: Paula Koller and Tina Nelson.

Guest in attendance: Justin Pierson, DSS Senior Policy Analyst.

Peitz moved and Viedt seconded a motion to approve the June 9, 2016 Board of Directors meeting minutes, with the following changes: Viedt in attendance; change 2:11 a.m. to p.m.; and 2016-2 Viedt abstained. Motion carried by a unanimous vote.

Peitz moved and Hartman seconded a motion to approve the Budget and Financial Report. Motion carried by a unanimous vote.

Peitz moved and Bontreger seconded a motion to deny N.R. request for an 'exception to the testing policy'. The BAPP's requirements changed with implementation of the new statutes and administrative rules. Therefore, the practitioner may need to complete additional specialized education coursework in order to meet the current standards for CAC or LAC. Motion carried by a unanimous vote.

Bratkiewicz in attendance at 10:55 a.m.

Pierson excused himself from the meeting at 11:15 a.m.

Sevening moved the meeting into Executive Session at 11:30 a.m. pursuant to SDCL 1-25-2(3) to review and discuss confidential and privileged legal matters with the BAPP's General Counsel, Jeff Bratkiewicz. The matters to be reviewed and discussed include, but not limited to, pending ethical complaints and investigations, regulatory and sensitive internal matters, potential litigation, and legal training and information provided by the State of South Dakota concerning state professional licensing boards.

Sevening moved the meeting out of Executive Session at 12:45 p.m.

Bratkiewicz discussed Nelson's July 27, 2016 deposition, in the matter of the National Association of Forensic Counselors Inc. v. Narconon International, et al.

Bratkiewicz excused himself from the meeting at 1:00 p.m.

Pierson rejoined the meeting at 1:00 p.m.

The BAPP received correspondence from S.K.'s attorney requesting her Application for Addiction Counselor Trainee status and Application for Licensed Addiction Counselor status, not be processed. In addition, the practitioner agreed to reimburse the BAPP \$2500.00 for costs and expenses incurred. Because the practitioner no longer holds status with the BAPP, she is prohibited from directly or indirectly providing any counseling or services that require licensure, certification, or recognition through the BAPP. Ohme moved and Hartman seconded a motion authorizing Bratkiewicz to send a letter, to her attorney, accepting these terms and conditions. Viedt abstained. Motion carried by a unanimous vote.

D.W. in attendance at 11:35 a.m. The Stipulation for Reprimand and Order/Reprimand was signed. Peitz moved and Hartman seconded a motion to accept the Stipulation. Motion carried by a unanimous vote.

2013-1 August 31, 2016 Bratkiewicz spoke with a representative from the SD Board of Examiners for Counselors and Marriage and Family Therapists, who confirmed the matter is being monitored. No further action is necessary.

2014-4 Viedt moved and Ohme seconded a motion to approve the letter Nelson prepared with the following changes: update Bangs McCullen Law Firm's address and include 'you will be prohibited'. The letter requests full and complete copies of all filings, documents, and records related to the criminal and civil charges, including the outcome of the charges. This information must be submitted to the BAPP, by November 25, 2016. If the information is not received, the individual will be prohibited from renewing status as a Certified Addiction Counselor. Motion carried by a unanimous vote.

2016-3 Hartman moved and Peitz seconded a motion requesting Nelson send letters to the complainant and the practitioner, notifying them an informal warning will be issued. No further investigation or formal discipline will be imposed. The matter is considered closed. Motion carried by a unanimous vote.

Peitz moved and Bontreger seconded a motion authorizing Nelson to send a letter to B.S. stating she has failed to establish the required work experience hours necessary for CAC testing, due to concerns regarding independent practice. Motion carried by a unanimous vote.

Ohme moved and Bowen seconded a motion authorizing Bratkiewicz to independently investigate W.J. The BAPP will send a letter to the practitioner identifying the Board's ongoing concerns pertaining to professional practices in general, including, but not limited to, supervision of Addiction Counselor Trainees. Motion carried by a unanimous vote.

Hartman moved and Viedt seconded a motion authorizing the check made payable to, and deposited by, Bangs McCullen Law Firm, LLP., in the amount of \$1000.00 (for the deposition administrative fee), remain in the Bangs McCullen account. Bratkiewicz reported he incurred approximately \$1000.00 in expenses in the matter of the National Association of Forensic Counselors Inc. v. Narconon International, et al. Motion carried by a unanimous vote.

The National Practitioner Data Bank (NPDB) examined the BAPP's reporting compliance for disciplinary actions taken between January 1, 2013 and December 31, 2014. The BAPP achieved 'compliant' status.

Viedt and Bowen volunteered to work on modifying / clarifying the language regarding the independent practice policy.

The Board recommends the BAPP request a refund for W. Dougherty in the amount of \$131.25, for overpayment of annual renewal fees.

Pierson had no information to share regarding the Internal Control Officers Meetings.

The Board discussed the possibility of the administrative office becoming an IQT testing center for BAPP candidates. The site set-up information, set up expenses, and reimbursement for Computer Based Testing (CBT) was reviewed. Peitz moved and Ohme seconded a motion authorizing the purchase of a computer, from Green Eggs & Ram, for administering CBT. Motion carried by a unanimous vote.

Bontreger shared his suggestions for updating the guidelines/policy for approval of Continuing Professional Training.

Current policy reflects, time devoted to mealtimes, breaks, exercise, meditation, prayer, etc., will not be considered or included when awarding Continuing Professional Training hours. Viedt moved and Bowen seconded a motion to remove 'prayer' and 'meditation'; and, include 'any topics not related directly to the conference material, will not be considered or included when awarding Continuing Professional Training'. Motion carried by a unanimous vote.

To prevent a conflict of interest, the Board would like to review all nomination information, before the Boards and Commissions applications, are submitted to the Governor's Office.

Current policy reflects: "In order for a practitioner to qualify as a private independent addiction counselor, the practitioner must meet the following requirements: Hold an active Licensed Addiction Counselor (LAC) credential with the Board. Have completed a minimum of two years of qualifying supervised work experience in the field of addiction counseling. The work experience must be years accrued after initial certification or licensure." Pierson indicated he would review the administrative rules and statutes, with Iversen-Pollreis, to determine if the qualifying work experience, requires part-time, or full-time employment.

Sevening indicated the updated NAADAC & NCC AP CODE OF ETHICS should be available in October 2016.

Pierson reported no change in status, with the New Board Member Training.

Pierson excused himself from the meeting at 2:40 p.m.

Sevening moved the meeting into Executive Session at 2:41 p.m. pursuant to SDCL 1-25-2(3) to review and discuss confidential and privileged legal matters with the Board of Directors.

Sevening moved the meeting out of Executive Session at 2:46 p.m.

Bontreger moved and Viedt seconded a motion to adjourn the meeting at 2:55 p.m. Motion carried by a unanimous vote.

Respectfully Submitted,  
Tina Nelson